

Solomon Islands

The Government of Solomon Islands issued a National Children's Policy with National Plan of Action for 2010-2015 to improve legislation, enforcement, coordination and services for children. However, significant gaps remain in the laws against the worst forms of child labor and in the enforcement of those laws. Commercial sexual exploitation of boys and girls continues to be a problem, particularly in association with the fishing and logging industries.

Statistics on Working Children and School Attendance

Children	Age	Percent
Working	5-14 yrs.	Unavailable
Attending School	5-14 yrs.	Unavailable
Combining Work and School	7-14 yrs.	Unavailable



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Some children in the Solomon Islands are engaged in the worst forms of child labor.⁵²⁴² Both boys and girls are engaged in commercial sexual exploitation associated with the logging, tourism and fishing industries in areas near logging camps, on fishing boats and in Honiara, the capital city.⁵²⁴³ Girls are trafficked within the Solomon Islands to logging camps for commercial sexual exploitation, and there are reports that some children are brought by their parents to foreign and local fishing ships for commercial sexual exploitation with fishermen.⁵²⁴⁴ Children are also involved in the sale and production of illegal, homebrewed alcohol.⁵²⁴⁵ Although research is limited, there are reports that children are also used in pornography.⁵²⁴⁶

Laws and Regulations on the Worst Forms of Child Labor

The Labor Act permits children as young as age 12 to work.⁵²⁴⁷ Children under age 15 are prohibited from working in industry or on ships, and children under age 16 are prohibited from

	C138, Minimum Age	No
	C182, Worst Forms of Child Labor	No
	CRC	✓
	CRC Optional Protocol on Armed Conflict	No
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	No
	Palermo Protocol on Trafficking in Persons	No
	Minimum Age for Work	12
	Minimum Age for Hazardous Work	15
	Compulsory Education Age	No
	Free Public Education	No

working in underground mines.⁵²⁴⁸ Children between ages 16 and 18 are barred from working in mines or on ships without a medical certificate and at night without specific written permission from the Commissioner of Labor.⁵²⁴⁹ The Solomon

Islands does not have a comprehensive law prohibiting children under age 18 from hazardous work nor does it have a comprehensive list of hazardous occupations. In addition, according to the Commissioner of Labor, the existing penalties and fines for employing children in hazardous conditions are too insignificant to serve as a disincentive.⁵²⁵⁰

Education in the Solomon Islands is neither free nor compulsory. The lack of standards in this area may increase the risk of children's involvement in the worst forms of child labor.⁵²⁵¹

The Constitution prohibits slavery and forced labor.⁵²⁵² The Penal Code criminalizes production, possession and distribution of pornography.⁵²⁵³ Selling or hiring minors under age 15 and girls under age 18 for prostitution is punishable as a criminal offense.⁵²⁵⁴ Some general provisions in the Penal Code against prostitution, kidnapping and abduction could be applied to prosecute sex and labor trafficking. Prostitution laws do not cover boys between the ages of 15 and 18 and leave boys without legal protections.⁵²⁵⁵

There are no government armed forces in the Solomon Islands.⁵²⁵⁶ The law allows that if needed, forces can be drawn from the Solomon Islands Police Force, which has a minimum recruiting age of 18.⁵²⁵⁷

Institutional Mechanisms for Coordination and Enforcement

The National Advisory Committee on Children advises the Cabinet on issues affecting children, coordinates the implementation of the CRC, and develops advocacy materials to promote the rights of children.⁵²⁵⁸ However, research found no evidence that the Government has established a coordinating mechanism to combat the worst forms of child labor specifically.

The Commissioner of Labor—the head of the Labor Division in the Ministry of Commerce, Industry, Labor, and Immigration (MOCILI)—is responsible for enforcing child labor laws.⁵²⁵⁹ The Labor Division was allocated SB\$25,000

(US\$3,252) during the reporting period for all of its operations, including conducting inspections.⁵²⁶⁰ The Ministry of Labor (MOL) employs a desk officer to work on ILO labor standards and child labor issues.⁵²⁶¹ Information was not identified on the number of labor inspectors, enforcement actions or the number of violations found during the reporting period. Sources, including the Government, note that lack of sufficient capacity and resources has prevented meaningful enforcement of the laws.⁵²⁶²

The Royal Solomon Islands Police, in partnership with the Australian-led Regional Assistance Mission to the Solomon Islands Participating Police Force, appears to be the only body responsible for enforcing laws related to trafficking and commercial sexual exploitation.⁵²⁶³ Research did not identify information regarding enforcement actions to combat commercial sexual exploitation of children.

Government Policies on the Worst Forms of Child Labor

In 2010, the Government issued a National Children's Policy with a National Plan of Action for 2010–2015.⁵²⁶⁴ The policy acknowledges the current gaps in legislation, enforcement and programs for the protection of children and commits to a substantial improvement of services and legal framework over the next 5 years. The objectives of this policy include ratifying the optional protocols to the United Nation's CRC, raising the minimum age for employment to 18 years, achieving universal primary education and creating a mechanism for coordination and enforcement of child protection laws and policies.⁵²⁶⁵

However, the National Plan of Action's 2010 indicator was not achieved because the country failed to ratify the CRC optional protocols. In addition, the Plan fails to include the Labor Division of the MOCILI in the planned coordination mechanism.⁵²⁶⁶

The Government signed its first Decent Work Program with the ILO for 2009–2012. Priorities

include promoting decent employment for youth and making progress toward eliminating child labor.⁵²⁶⁷

Social Programs to Eliminate or Prevent Child Labor

Workshops on human trafficking were held throughout 2010 for community stakeholders, including representatives from local organizations and Ministries of Women and Family Affairs,

Foreign Affairs, Health, Commerce and Justice. These workshops were meant to clarify the definition of human trafficking, identify stakeholders and examine local case studies and regional anti-human trafficking efforts.⁵²⁶⁸ Although the Government has implemented programs to combat trafficking, research found no evidence that it has carried out programs to combat the commercial sexual exploitation of children.

Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Solomon Islands:

IN THE AREA OF LAWS AND REGULATIONS:

- Amend the Labor Act to increase the minimum ages for employment and hazardous work to 14 and 18, respectively, and institute a list of hazardous occupations.
- Enact legislation and/or policy to fulfill commitments under The National Children's Policy of "Free and Compulsory Education for All Boys and Girls by 2015."
- As part of the ongoing review of the Penal Code of 1963:
 - Amend laws to prohibit the prostitution of boys under age 18.
 - Ensure that laws contain comprehensive protections against the trafficking of children.

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Establish a coordinating mechanism to combat the worst forms of child labor.
- Make information on inspections and investigations regarding the worst forms of child labor publicly available.
- Allocate sufficient funds to ensure that enforcement agencies have adequate resources and the capacity to effectively enforce worst forms of child labor laws.

IN THE AREA OF POLICIES:

- Commit to meeting goals outlined in the National Children's Policy with a National Plan of Action for 2010–2015, including ratification of the CRC Optional Protocols.
- Consider including MOCILI in the coordination mechanism for enforcement outlined in the National Plan.

IN THE AREA OF SOCIAL PROGRAMS:

- Initiate programs to address the worst forms of child labor, particularly the commercial sexual exploitation of children.

⁵²⁴² Data provided in the chart at the beginning of this country report are not available from the data sources that are used by USDOL. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. For more information on sources used for these statistics, the definition of working children, and other indicators used in this report, please see the "Children's Work and Education

Statistics: Sources and Definitions" section.

⁵²⁴³ UNICEF Pacific, *Commercial Sexual Exploitation of Children and Child Sexual Abuse in the Pacific: A Regional Report*, Suva, 2008; available from http://www.unicef.org/pacificislands/Small_CESEC.pdf. See also Solomon Islands Department of Home Affairs official, Interview with USDOL official, June 20, 2006. See also Tania Herbert, *Commercial Sexual Exploitation of Children in the Solomon Islands: A Report Focusing on the Presence of the Logging Industry in a Remote Region*, Christian Care Center of the

Church of Melanesia, Honiara, July 2007; available from <http://www.melanesiangeo.org/resources/Solomons%20Child%20Exploitation.pdf>. See also Solomon Islands Port Authority official, Interview with USDOL consultant, June 28, 2006. See also Rory Callinan, "Generation Exploited," *Time* 167, no. 13 (March 27, 2006); available from <http://www.time.com/time/magazine/article/0,9171,1174745,00.html>.

⁵²⁴⁴ U.S. Department of State, "Solomon Islands (Special Cases)," in *Trafficking in Persons Report- 2008*, Washington, DC, June 4, 2008; available from <http://www.state.gov/documents/organization/105660.pdf>. See also Herbert, *Logging Industry: Solomon Islands*. See also Callinan, "Generation Exploited."

⁵²⁴⁵ Solomon Islands Central Magistrate's Court official, Interview with USDOL consultant, June 23, 2006. See also Solomon Islands Police official, Interview with USDOL consultant, September 3, 2006.

⁵²⁴⁶ Callinan, "Generation Exploited." See also UNICEF Pacific, *Commercial Sexual Exploitation in the Pacific*. See also Solomon Islands National Council of Women official, Interview with USDOL consultant, June 23, 2006.

⁵²⁴⁷ *Labour Act (Chapter 73)*, (1996); available from <http://www.paclii.org>

⁵²⁴⁸ *Ibid.*, articles 46-48.

⁵²⁴⁹ *Ibid.*, article 49.

⁵²⁵⁰ U.S. Embassy- Port Moresby, *reporting, March 16, 2011*.

⁵²⁵¹ U.S. Department of State, "Solomon Islands," in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2010, section 6; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/eap/136009.htm>.

⁵²⁵² *Constitution of Solomon Islands*, (July 7, 1978), article 6; available from http://www.paclii.org/sb/legis/consol_act/c1978167/. See also International Trade Union Confederation, *Internationally Recognised Core Labour Standards in the Solomon Islands: Report for the WTO General Council Review of the Trade Policies of the Solomon Islands*, Geneva, May 6 and 8, 2009; available from http://www.ituc-csi.org/IMG/pdf/WTO_report_Solomon_final0509.pdf

⁵²⁵³ *Penal Code (Chapter 26)*, (1996), article 173; available from http://www.paclii.org/sb/legis/consol_act/pc66/

⁵²⁵⁴ *Ibid.*, articles 149-150. See also Coalition to Stop the Use of Child Soldiers, "Solomon Islands," in *Child Soldiers Global Report 2008*, London, 2008; available from <http://www.childsoldiersglobalreport.org/content/solomon-islands>

⁵²⁵⁵ *Penal Code*, articles 144, 248, 250. See also U.S. Department of State, "Trafficking in Persons Report- 2008: Solomon Islands."

⁵²⁵⁶ U.S. Embassy- Port Moresby, *reporting, March 16, 2011*. See also Coalition to Stop the Use of Child Soldiers, "Global Report 2008: Solomon Islands."

⁵²⁵⁷ Salote Austin, Osborn Cains, Anafia Norton, Penelope Taylor, Marie Wernham, and Freida, *Protect Me with Love and Care: A Baseline Report for the Solomon Islands*, UNICEF Pacific, Suva, November, 2009; available from http://www.unicef.org/pacificislands/UNICEF_Solomon_Report1.pdf

⁵²⁵⁸ Government of Solomon Islands, *National Children's Policy with National Plan of Action*, Ministry of Women, Youth & Children Affairs, April 15, 2010.

⁵²⁵⁹ U.S. Embassy- Port Moresby, *reporting, March 16, 2011*. See also U.S. Department of State, "Country Reports- 2009: Solomon Islands," section 7.

⁵²⁶⁰ U.S. Embassy- Port Moresby, *reporting, March 16, 2011*.

⁵²⁶¹ ILO, *Country Baseline under the ILO Declaration Annual Review (2000-2009): Solomon Islands: The effective abolition of child labour*, Status Report, Geneva, 2009; available from http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_091263.pdf

⁵²⁶² International Trade Union Confederation, *Review of Trade Policies of the Solomon Islands*. See also Solomon Islands Ministry of Labor official, Interview with USDOL consultant, June 12, 2006. See also ILO, *Country Baseline: Solomon Islands, Status Report*. See also U.S. Department of State, "Country Reports- 2009: Solomon Islands."

⁵²⁶³ U.S. Embassy- Port Moresby, *reporting, March 16, 2011*. See also Callinan, "Generation Exploited." See also Herbert, *Logging Industry: Solomon Islands*.

⁵²⁶⁴ Government of Solomon Islands, *National Children's Policy with National Action Plan*.

⁵²⁶⁵ *Ibid.*

⁵²⁶⁶ *Ibid.*

⁵²⁶⁷ ILO, Fact Sheet: Solomon Islands, Status Report, Bangkok, 2010; available from http://bravo.ilo.org/asia/whatwedo/publications/lang--en/docName--WCMS_120549/index.htm

⁵²⁶⁸ American Bar Association, Workshop Brings Anti-Human Trafficking Stakeholders Together, [online] December 2010 [cited February 1, 2011]; available from www.abanet.org/rol/news/news_solomon_islands_anti_human_trafficking_workshop_1210.shtml.